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CROWELL & MORING LLP  
INTELLECTUAL PROPERTY GROUP  
P.O. BOX 14300  
WASHINGTON DC 20044-4300

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OFFICE OF PETITIONS

In re Patent No. 6,092,748  
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Application No. 09/236,087  
Filed: January 25, 1999  
Attorney Docket No. 3078/44920

NOTICE UNDER 37 CFR. 1.28(c)

This is a notice regarding your request for acceptance of a fee deficiency submission under 37 CFR 1.28.

The Office no longer investigates or rejects original or reissue applications under 37 CFR 1.56. **1098 Off. Gaz. Pat. Office 502 (January 3, 1989)**. Therefore, nothing in this Notice is intended to imply that an investigation was done.

Your fee deficiency submission under 37 CFR 1.28 is hereby **DIMISSED**.

37 CFR 1.28(c) 2 (ii) states:

(ii) *Itemization of the deficiency payment.* An itemization of the total deficiency payment is required. The itemization must include the following information:

- (A) Each particular type of fee that was erroneously paid as a small entity, (e.g., basic statutory filing fee, two-month extension of time fee) along with the current fee amount for a non-small entity;
- (B) The small entity fee actually paid, and when. This will permit the Office to differentiate, for example, between two one-month extension of time fees erroneously paid as a small entity but on different dates;
- (C) The deficiency owed amount (for each fee erroneously paid); and
- (D) The total deficiency payment owed, which is the sum or total of the individual deficiency owed amounts set forth in paragraph (c)(2)(ii)(C) of this section.

**A one (1) month non-extendable time period for reply is given from the mail date of this decision, to avoid the return of the fee deficiency paper, at the option of the Office.**

Inquiries related to this communication should be directed to the Michelle R. Eason at (571) 272-4231.



Thurman Page  
Petitions Examiner  
Office of Petitions